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*Admitted only in Maryland *Admitted only in Virginia *Practice Limited to Federal Agencies

August 19, 2004

(202) 772-8589 Internet Address: larryb@skgf.com

Mail Stop Missing Parts

WRITER'S DIRECT NUMBER:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 10/766,528; Filed: January 29, 2004

For: Inhibition of HIV-1 Replication by Disruption of the Processing of the

Viral Capsid-Spacer Peptide 1 Protein

Inventors:

SALZWEDEL et al.

Our Ref:

1900.0430002/LBB/SJE

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated June 22, 2004, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- PTO-2038 Credit Card Payment Form for \$3,738.00 to cover:
 \$ 770.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);
 \$ 130.00 Surcharge for Late Filing Fee or Declaration (37 C.F.R. § 1.16);
 \$2,838.00 Excess Claims Fee;
- 2. Fee Transmittal Form (PTO/SB/17);
- 3. Copy of the Notice to File Missing Parts;
- 4. Notification of Loss of Entitlement to Small Entity Status Under 37 C.F.R. § 1.27;
- 5. Original Declaration, executed by the inventors Karl Salzwedel, Feng Li, Carl T. Wild and Graham P. Allaway;
- 6. Original Declaration, executed by the inventor Eric O. Freed;
- 7. Request to Approve Proposed Drawing Corrections;

Sterne, Kessler, Goldstein & Fox PLL.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents August 19, 2004 Page 2

C. 2. 7

- 8. 2 pages of Annotated Drawing Sheets (Figures 4 and 9);
- 9. 2 pages of Replacement Sheets (Figures 4 and 9);
- 10. Preliminary Amendment and Submission of Sequence Listing;
- 11. 7 pages of a Sequence Listing;
- 12. Computer readable copy of Sequence Listing;
- 13. Information Disclosure Statement;
- 14. Form PTO-1449 (13 sheets citing 46 documents);
- 15. 41 documents cited in Form PTO-1449 (attached); and
- 16. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Lawrence B. Bugaisky Attorney for Applicants

Registration No. 35,086

LBB/SJE/lam Enclosures

300839.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SALZWEDEL et al.

Appl. No.: 10/766,528

Filed: January 29, 2004

For: Inhibition of HIV-1 Replication by Disruption of the Processing of the

Viral Capsid-Spacer Peptide 1

Protein

Confirmation No.: 2237

Art Unit: 1646

Examiner: To be assigned

Atty. Docket: 1900.0430002/LBB/SJE

Notification of Loss of Entitlement to Small Entity Status Under 37 C.F.R. § 1.27

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned believes that the above-captioned application is not entitled to small entity status. Appropriate fees for a large entity are submitted herewith.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Lawrence B. Bugaisky Attorney for Applicants

Registration No. 35,086

Date: __August 19, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

301692.1

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EE TRANSMITTAL		Complete if Known			
EL IRANS	WILLIAL	Application Number	10/766,528		
for FY 2004		Filing Date	January 29, 2004		
		First Named Inventor	Karl SALZWEDEL		
Effective 10/01/2003. Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR 1.27		Examiner Name	To be assigned 1646		
		Art Unit			
TOTAL AMOUNT OF PAYMENT	(\$) 3.738.00	Atternov Docket No.	1900 0430002/LBB/SJE		

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)						
Check X Credit card Money X Other** None		3. ADDITIONAL FEES					
*Charge any deficiencies or credit any overpayments in		Entity	Small	Entity			
Deposit Account: the fees to Deposit Acct. No. 19-0036. Deposit	Fee Code			Fee (\$)	Fee Description	Fee Paid	
Account Number 19-0036	1051	130	2051	65	Surcharge - late filing fee or oath	130.00	
Deposit Account Sterne, Kessler, Goldstein & Fox P.L.L.C.	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
Name The Director is authorized to: (check all that apply)		130	1053	130	Non-English specification		
Charge fee(s) indicated below Credit any overpayments		2,520	1812	2,520	For filing a request for ex parte reexamination		
Charge any additional fee(s) or any underpayment of fee(s)		920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below, except for the filing fee		1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
to the above-identified deposit account.		110	2251	55	Extension for reply within first month		
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month		
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month		
Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month		
Code (\$) Code (\$) 1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month		
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal		
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal		
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing		
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1) (\$) 770.00	1452	110	2452	55	Petition to revive - unavoidable		
1.13133		1,330	2453	665	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2501	665	Utility issue fee (or reissue)		
Extra Claims below Fee Paid	1502	480	2502	240	Design issue fee		
Total Claims 109 - 20 **= 89 X 18.00 = 1602.00	1503	640	2503	320	Plant issue fee		
Claims — — — — — — — — — — — — — — — — — — —	1460	130	1460	130	Petitions to the Commissioner		
[275,00] [275,00]	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806	180			
Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be		
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	examined (37 CFR 1.129(b)) Request for Continued Examination (RCE)		
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	Request for expedited examination		
and over original patent	l				of a design application		
SUBTOTAL (2) (\$) 2838.00		fee (sp			oo Boid	130.00	
**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)							

SUBMITTED BY

Name (Print/Type)

Lawrence B. Bugaisky

Signature

(Complete (if applicable))

Telephone
(202) 371-2600

Date

August 19, 2004

WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/766,528

01/29/2004

Karl Salzwedel

1900.0430002/JMC/MBT

CONFIRMATION NO. 2237

26111

STERNE, KESSLER, GOLDSTEIN & FOX 1100 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

08/20/2004 EFLORES 00000051 10766528

770.00 UP

FORMALITIES LETTER

OC000000013019317*

Date Mailed: 06/22/2004

01 FC:1001 02 FC:1201 03 FC:1202 04 FU:1051 05 FC:1203

946.00 OP 1602.00 OP 130.00 GP

NOTICE TO ALL MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1,821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of \$1419 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1869 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1419
 - \$473 for 11 independent claims over 3.
 - \$801 for 89 total claims over 20.
 - \$145 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SALZWEDEL et al.

Appl. No.: 10/766,528

Filed: January 29, 2004

For: Inhibition of HIV-1 Replication by Disruption of the Processing of the

Viral Capsid-Spacer Peptide 1

Protein

Confirmation No.: 2237

Art Unit: 1646

Examiner: To be assigned

Atty. Docket: 1900.0430002/LBB/SJE

Request to Approve Proposed Drawing Corrections

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached are copies of two (2) drawing sheets, containing 1) proposed corrections to Figures 4 and 9, shown in red; and 2) the replacement Figures. The proposed change adds no new matter to this application. Applicants request that the Examiner approve the proposed corrections.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Lawrence B. Bugaisky Attorney for Applicants Registration No. 35,086

Date: August 19, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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